IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13285 of 2004

Between:

P. Akram Basha, S/o. Mohammed Khan,
Muslim, R/o. A.S.Pet Village & Mandal, Nellore District.

..... PETITIONER

AND

The Additional Senior Civil Judge, Nellore & Administrator of Anumasamudrampeta Mosque-Dargah Trustee, Nellore District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent in issuing the notification Dt. 22-6-2004, which was published in Eenadu Telugu daily on 26-6-2004 so far as condition No.11 and set aside the same as illegal, arbitrary and opposed to principles of natural justice

Counsel for the Petitioner:MR.B.PARAMESEWARA RAO

Counsel for the Respondent No.: SMT.M.BHASKARA LAKSHMI (SC FOR APHC)

The Court at the admission stage made the following :

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O R D E R:

This writ petition is filed seeking a declaration that the action of the respondent in issuing the notification dated 22-06-2004, which was published in Eenadu daily on 26-06-2004, so far as condition NO.11 is concerned, as arbitrary and illegal and to set aside the same.

As can be seen from the impugned notification, applications were invited for appointment of a Trustee for Anumasamudrampeta Mosque-Dargah Trust, Nellore District. The qualifications required for the said post have been specified thereunder. The applications were required to be received by 17-07-2004, and the interviews were fixed on 24-07-2004. The petitioner contends that condition No.11 of the said notification, which specifies that the minimum educational qualification is “degree” is arbitrary and illegal. Though in the affidavit filed in support of the writ petition, it is stated that in pursuance of the said notification, one Sri Aakhil has been appointed as a Trustee, the said person has not been made a party to the writ petition. Even otherwise, from the averments in the affidavit filed in support of the writ petition, absolutely no case is made out to grant the relief as prayed for particularly at the instance of a person, who is in no way aggrieved by the appointment in question.

In the circumstances, the writ petition is devoid of merits and the same is accordingly dismissed. No costs.

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29-07-2004

Mjl/*

To

1. The Additional Senior Civil Judge, Nellore & Administrator of Anumasamudrampeta
Mosque-Dargah Trustee, Nellore District.

2. 2 CD copies